

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

NATHANIEL BALDWIN, et al.,

PLAINTIFFS

V.

CIVIL ACTION NO. 2:03CV391-NBB-SAA

GLAD PROPERTIES, L.L.C., d/b/a ULTIMATE CAR WASH,

DEFENDANT

**ORDER**

On consideration of the file and records in this action, the court finds that the report and recommendation of the United States Magistrate Judge dated January 20, 2005, was on that date served by first class mail upon counsel of record; more than ten days have elapsed since service of the report and recommendation; and no objection has been filed or served. The court is of the opinion that the report and recommendation should be approved and adopted as the opinion of the court.

It is, therefore,

**ORDERED:**

1. That the report and recommendation of the United States Magistrate Judge dated January 20, 2005, is approved and adopted, and the proposed findings of fact and conclusions of law therein set out are adopted as the findings of fact and conclusions of law of the court.
2. Defendant's motion to dismiss is denied.

SO ORDERED, this the 27<sup>th</sup> day of April, 2005.

/s/ Neal Biggers

---

**NEAL B. BIGGERS, JR.  
SENIOR U.S. DISTRICT JUDGE**

